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AIDAC
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DCHA/OFDA FOR KLUU, ACONVERY, TDENYSENKO, LTHOMAS
DCHA/FFP FOR JBORNS, JDWORKEN, LPETERSON, ASINK
PRETORIA FOR JWESSEL, GJUSTE

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SUBJECT: ZIMBABWE SUSPENDS ALL NGO ACTIVITIES

REF: HARARE 475

SUMMARY

1. (SBU) On June 5, Zimbabwe's Minister of Public Service, Labor and Social Welfare (MPSLSW) Nicolas Goche issued a letter addressed to all Non-Governmental Organizations (NGOs) and Private Voluntary Organizations (PVOs) advising them to "suspend all field operations until further notice." (See paragraph 11 for complete text of letter.) Post is assessing the impact of this blanket suspension on its partners, but the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) has informally estimated that at least two million beneficiaries would be affected by a strict enforcement of the suspension. At present, most international NGOs and their partners have suspended field operations and drawn staff back to headquarters and the district level. PVO is the statutory classification used by the Government of Zimbabwe (GOZ) to register national/local NGOs, community-based organizations, and civil society organizations (CSOs), and a few of these agencies are attempting to resume low-visibility, partial operations on a sectoral and case-by-case basis. Post and UNOCHA have requested a meeting with Minister Goche to register concern and seek clarification on the extent of the suspension. END SUMMARY.

BACKGROUND

2. (U) Since the March 29 harmonized elections and in the run-up to the June 27 presidential run-off, NGOs, CSOs, and humanitarian aid agencies have been increasingly denied access to beneficiaries by a variety of official and un-official personnel acting on behalf of the GOZ. The access restrictions began in those wards and districts that had been strongholds of the ruling party, but voted for the opposition Movement for Democratic Change (MDC) in the initial elections -- largely the same areas where politically-motivated violence has been perpetrated. On May 28, USAID partner CARE International was told to suspend all of its activities (reftel), after weeks of negotiations concerning their operations in Masvingo Province. This restriction coincided with a partner report that all NGO operations had been restricted within the Nyanga District as well as organization-specific suspensions in random districts. The blanket suspension for all NGOs and PVOs was therefore somewhat anticipated.

3. (U) One day prior to the announcement of the suspension, a press release was issued by the United Nations (UN) Emergency Relief Coordinator that expressed "grave concern" over access restrictions at that time. Though unmentioned in the press release, UN agencies

-- particularly the UN Childrens Fund (UNICEF), World Food Program (WFP), and the International Organization for Migration (IOM) -- have also experienced access restrictions and field-level threats. It appears that those enforcing access restrictions at the field-level are not recognizing UN immunity and therefore not differentiating between NGOs and UN operations/vehicles.

NGO REACTION/UN FOLLOW UP

¶4. (SBU) At this stage, the response to the blanket suspension by UN agencies, NGOs, and donors is still evolving. Most organizations, at least through the upcoming run-off election, have chosen to suspend field activities and concentrate instead on planning and training, reducing staff levels to a skeleton size at the district level, and moving vehicles and office equipment to more secure locations.

¶5. (U) UNOCHA is seeking formal clarification from the MPSLSW regarding the breadth of the suspension, and if NGOs/PVOs will be required to re-register in order to resume operations. An informal conversation between a GOZ department minister and an OCHA staff member detailed that health clinic support is allowed to continue, but that there should be no further food distributions or community mobilization activities. Several health-focused agencies are working closely with the Ministry of Health in an attempt to resume operations, and the National Association for NGOs in Zimbabwe (NANGO) has advised willing partners to resume "cautious" operations. The network of Zimbabwe Red Cross agencies reported on June 9 that they had received no access restrictions to date.

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¶6. (SBU) Zimbabwe Lawyers for Human Rights (ZLHR) has examined the legality of the blanket suspension, and decreed it a "legal nullity," contending that Goche lacked authority to issue the order or suspension. ZLHR, working closely with the NGO representative body NANGO, are pursuing legal remedies.

DONOR GUIDANCE

¶7. (SBU) Donor guidance to partners in light of the suspension is largely informal and situational. The prevailing donor guidance seems to be to continue activities where security of staff is not threatened. This same guidance has been provided by USAID to its partners. In practical terms however, little space exists now to conduct field operations. NGO and UN vehicles are being stopped and detained in rural areas; officials have been given authority to confiscate NGO computers, motorbikes, and other equipment at checkpoints; and local partners are at risk of targeted violence. (NOTE: In an exception to the suspension, the Ministry of Health has encouraged HIV/AIDS NGOs to continue their programs. END NOTE.)

USAID PARTNER IMPACT

¶8. (U) USAID held a partners meeting on June 11. Below is a rundown on USAID partner actions:

--C-SAFE partners (CARE, Catholic Relief Services, and World Vision) have suspended all field activities/food distributions. Their district offices are open but only a skeleton workforce is in place. Travel is being limited.

--Mercy Corps has suspended field-level operations; only a skeleton presence remains in the field.

--Oxfam has three sub-offices open but has suspended distributions.

--John Snow Inc. operations (supply chain management support and anti-retroviral procurement and distribution) continue as normal.

It is unaffected by the suspension as it is not registered as an NGO.

--PSI and Abt are attempting to obtain permission from the Ministry of Health to continue counseling and testing services. To date, their clinics remain open but community outreach events are on hold.

--World Education is still in start-up mode for its new orphan and vulnerable children program and therefore is affected minimally by the suspension. It continues to focus on drafting/negotiating a memorandum of understanding with the Ministry of Health.

--Elizabeth Glaser Foundation, our partner for prevention of mother to child transmission, is continuing its programs in training and support of MOH PMTCT programs although it will be closed over the week of the run-off election.

--Democracy and Governance (DG) partners continue their work in the run-up to the election through their local partners. Zimbabwe Election Support Network and SUNY, e.g., are unaffected as they are considered trusts; and, the Counseling Services Unit is registered as a health institution. Other local DG partners are heeding NANGO's advice and are proceeding with caution.

¶9. (U) Post and UNOCHA have requested a meeting with Goche requesting clarification on the suspension. To date, we have received no response from his office.

¶10. (U) COMMENT: The restrictions will have a severe impact on programs and beneficiaries. Cessation of food aid will result in 431,072 beneficiaries affected in June while cessation of non-food humanitarian assistance will result in 348,980 beneficiaries affected in June. We are still compiling the effects on our HIV/AIDS program. Post will continue to monitor and report upon the situation as it develops, and as the effect of the suspension becomes clearer.

¶11. (U) BEGIN TEXT OF GOCHE LETTER

Reference: SW/21/3

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4 June 2008

TO: ALL PRIVATE VOLUNTARY ORGANISATIONS (PVOs)/NON GOVERNMENTAL ORGANISATIONS (NGOs)

It has come to my attention that a number of NGOs involved in humanitarian operations are breaching the terms and conditions of their registration as enshrined in the Private Voluntary Organisation At [Chapter 17:05], as well [sic] the provisions of the Code of Procedures for the Registration and operations of Non Governmental Organisations in Zimbabwe (General Notice 99 of 2007).

As the Regulatory Authority, before proceeding with the provision of Section (10), Subsection (c), of the Private Voluntary Act [Chapter 17:05], I hereby instruct all PVOs/NGOs to suspend all field operation [sic] until further notice.

Hon. NT Goche (MP)
MINISTER OF PUBLIC SERVICE, LABOUR AND SOCIAL WELFARE

END TEXT OF LETTER

MCGEE